S.B. Criminal Misc. Bail Application No.4641/2006
Date : 19.10.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. TR Singh Sodha for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that allegation under Section 376/511 IPC are totally false. He submits that the prosecutrix is major and infact nothing was done with her. He also submits that he has been arrested and the fact of the case disclosed that it is a case of consent.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me.

Without expressing any opinion on the merit of the case while taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that applicant Nafis S/o Hafiz Mohd. shall be released on bail in FIR No. 289/2006 P.S. Jahajpur, District Bhilwara, provided he executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

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